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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,589	03/08/2002	John Sykes	5570-4	7622

7590 11/03/2003

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EXAMINER

FLYNN, AMANDA R

ART UNIT PAPER NUMBER

3743

DATE MAILED: 11/03/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/070,589

Applicant(s)

SYKES, JOHN

Examiner

Amanda Flynn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15, 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 9, 10, 13 and 19 is/are rejected.
- 7) ☒ Claim(s) 7, 8, 11, 12, 14, 15 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 March 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. This application has been filed with informal drawings, which are acceptable for examination purposes only. Formal drawings will be required if the application is allowed.
2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the storage media (claim 1), memory means (claim 1), and the apparatus for receipt of a coin or token (claim 19) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

3. The specification is objected to because it lacks necessary section headings, such as "Background of the Invention," "Brief Summary of the Invention", etc. Appropriate correction is required.
4. The specification is objected to because it employs the British spelling of several words throughout. Words such as "analyse," "utilise," "armoured," etc. should be correctly spelled.

Claim Objections

5. Claims 1, 10 and 11 are objected to because of the following informalities:

In claim 1, line 10, the phrase "the memory means" lacks antecedent basis, as it does not appear to refer to the same "memory means" identified in line 7.

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In claim 10, line 2, it appears that a typographical error occurred while attempting to type the phrase "to the."

In claim 11, lines 2-3, "the housing" lacks proper antecedent basis.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-4, 6, 9-10, 13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 4,773,863 to Douglas, III in view of U.S. Patent Number 5,062,304 to Van Buskirk et al.

Douglas, III discloses a urinal facility having at least one urinal fixture (8) and an apparatus, wherein the apparatus includes a screen (24) for the display of video material, such that the screen is positioned to be viewed by a person when using the facility. The screen displays video generated from data held within a storage media (16) at the facility, wherein the storage media (16) is connected to the screen by a wire, as seen in Figure 1. The screen (24) is contained in a housing that is mounted at a position above and removed from the urinal fixture (8) itself. The urinal fixture comprises a wall, and a urine collection area leading to a drain. A pressure or temperature sensor (12) is provided in the drain area of the urinal fixture, to detect when urine impacts the sensor. Therefore, the presence of a person using the urinal (8) is detected. The sensor is placed in the drain of the fixture, which is relatively 'adjacent' to the

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screen. When a person uses the urinal, the sensor reacts to the urine flow reaching it and activates the screen (See column 2, lines 40-45). Douglass, III does not specify that memory means are present to retain information sensed by the urine sensor.

Van Buskirk et al. disclose a toilet capable of sensing and analyzing various properties of urine. Van Buskirk et al. disclose several types of urine temperature sensors (610, 740, 760) that become activated when urine contacts the sensor. Memory means are provided to allow the storage of data generated from the temperature sensor to indicate the presence of a person in the facility. The data is then retrievable from the memory means on site for further analysis.

It would have been obvious to one skilled in the art at the time the invention was made to have provided the urinal facility as disclosed by Douglass, III wherein the temperature sensor has memory means, as taught by Van Buskirk et al., to allow storage and retrieval of sensed data.

8. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Douglas, III in view of Van Buskirk et al.

Douglas, III in view of Van Buskirk et al. disclose the previously described urinal facility having an apparatus for the display of video when a sensor senses the presence of a user.

Douglas, III does not specify that the facility have a number of urinal bays and display screens.

It would have been obvious to one skilled in the art at the time the invention was made to have provided the urinal facility as disclosed by Douglas, III in view of Buskirk et al., with a multitude of urinal bays and screens to accommodate a number of users, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art.

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Allowable Subject Matter

9. Claims 7-8, 11-12, 14-15 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited art discloses urinal facilities and sensors having features in common with the instant invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amanda R. Flynn whose telephone number is 703-306-4056. The examiner can normally be reached on Monday-Thursday, 8:30 - 6:00 and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry A. Bennett can be reached on 703-308-0101. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

HLF
arf

Henry Bennett
Supervisory Patent Examiner
Group 3700

Amanda R. Flynn
Examiner
Art Unit 3743